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REMARKS

Claims 1-52 are presently pending. Favorable reconsideration and allowance of this application, as amended and responded to herein, is respectfully requested.

Election of Group

Examiner states “[b]ecause applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated without traverse.” It is respectfully pointed out that in the Response dated October 3, 2003, Applicants stated “[a]pplicants affirm the provisional election, with traverse, made during a telephone conversation with Examiner Rao on May 6, 2003.” Applicants thus respectfully request the record to indicate that the election be treated with traverse.

Amendment to Specification

The instant specification has been amended simply to bring it into conformity with the claims as originally filed. “The claims as filed in the original specification are part of the disclosure and, therefore, if an application as originally filed contains a claim disclosing material not found in the remainder of the specification, the applicant may amend the specification to include the claimed subject matter.” MPEP § 2163, citing *In re Benno*, 768 F.2d 1340 (Fed. Cir. 1985). Since instant Claim 22 as originally filed contains the subject matter added herein to the specification, no new matter is added by this amendment to the specification.

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The 35 U.S.C. § 102 Rejection

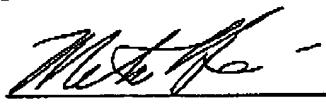
Claims 1, 9, and 48-52 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Van Lommen et al., WO 93/17017. The Examiner states that "the instantly claimed compounds read on the compounds of the reference." The Examiner specifically points to reference disclosed compounds in Table 1, pages 45-49, particularly compounds 38-43.

Claim 1 has been amended to exclude compounds where B is aryl(CH₂)₁₋₃, or heteroaryl(CH₂)₁₋₃. Applicants respectfully submit that the instant claims, as amended herein, are not anticipated by the cited reference. Applicants thus deem this rejection obviated and respectfully request withdrawal thereof.

In view of the foregoing amendments and remarks it is firmly believed that the subject invention is in condition for allowance, which action is earnestly solicited.

Respectfully submitted,

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